

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KENNETH ASHWOOD,

Plaintiff,

v.

GENEVIEVE MALONEY, et al.,

Defendants.

Case No. 2:24-cv-83

HON. JANE M. BECKERING

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ORDER

This is a civil rights action brought by a state prisoner under 42 U.S.C. § 1983. Defendant Jodi Cook filed a Motion to Dismiss (ECF No. 14) and Defendant Genevieve Maloney filed a Motion for Summary Judgment on the basis of exhaustion (ECF No. 15). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 26) on June 5, 2025, recommending that this Court grant the motions and dismiss Defendants Cook and Maloney from this lawsuit without prejudice due to Plaintiff's failure to exhaust his administrative remedies against them. The Report and Recommendation was duly served on the remaining parties.¹ No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 26) is APPROVED and ADOPTED as the Opinion of the Court.

¹ Service of the Report and Recommendation on Plaintiff was returned, marked "return to sender/prisoner," "no longer here," and "forwarding time of 60 days has expired [-] check OTIS" (ECF No. 27). Plaintiff has failed to keep the Court apprised of his current address.

IT IS FURTHER ORDERED that the Motion to Dismiss (ECF No. 14) and Motion for Summary Judgment on the basis of exhaustion (ECF No. 15) are GRANTED, and Plaintiff's claims against Defendants Cook and Maloney are DISMISSED WITHOUT PREJUDICE. Defendants Cook and Maloney are TERMINATED from this action.

The case proceeds as to Plaintiff's claims against Defendant Kristen Jones.

Dated: July 17, 2025

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge